



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2203010

Applicant Name : Greg Blount, Driscoll Architects
for Merle Steinman

Address of Proposal: 4719 12th Ave NE

SUMMARY OF PROPOSED ACTIONS

Master Use Permit for future construction of a 6-story hotel with 59 rooms, two residential apartments, and parking for 37 vehicles at and below alley grade. Project also includes future demolition of two (2) existing single family residences.

The following approvals are required:

Design Review – SMC Chapter [23.41](#)

SEPA - Environmental Determination – SMC Chapter [25.05](#)

SEPA DETERMINATIONS:

☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions ¹

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

¹ Early DNS published January 16, 2003.

PROJECT DESCRIPTION

The applicant proposes a six-story hotel building with approximately sixty rooms. Plans show two levels of parking, in excess of the minimum zoning requirement, to be accessed from the alley.

VICINITY AND SITE

The site is located in the University District, on the west side of 12th Avenue NE, midblock between NE 50th and NE 47th Streets. 12th Ave NE is a residential street with a gradual northward uphill slope. The block face measures 600', equalling three typical block lengths. The property is located in the University Urban Center Village.

The site is zoned Neighborhood Commercial 3 with a 65-foot base height limit (NC3-65, see

Page 8). All properties in the vicinity to the north of NE 47th Street are also zoned NC3-65. To the south of 47th Street, land is zoned NC3 with an 85-foot base height limit (NC3-85).

Development in the vicinity has begun to reflect its zoning, though most does not approach full zoning potential, suggesting that the area could experience substantial future redevelopment. The area is a mix of single family residences, apartment buildings and newer mixed use buildings, as well as various commercial and institutional uses. Several small single family homes are located to the north, and most appear to be rentals and are in varying states of disrepair. To the southeast across 12th Ave. E is a residential highrise built in the 1970s and administered by Seattle Housing Authority. At the south end of this block, two new congregate housing developments have recently been constructed. Midblock to the north is the University Motel, built in 1960 and also owned by the applicant. One single-family structure intervenes and prevents the two sites from being developed jointly. The applicant currently has no plans to redevelop the motel.

The site measures 90' by 100'. Due to the substandard 10' alley width, the applicant must dedicate five feet (5') of the western portion of the property to the alley per Seattle Municipal Code (SMC) [23.53.030 B2 & F1](#), which results in a site area of 8,550 sq.ft. The site slopes to west, about eight feet in all (See Figure 2). No portion of the site is designated as an Environmentally Critical Area on City maps. The site is currently occupied by two single family homes and a detached garage, all in varying states of repair. Most of the site is paved, and there appears to be no significant vegetation. There is an existing curb and sidewalk, and sufficient width to accommodate full sidewalk improvements.



Figure 1. Vicinity Zoning

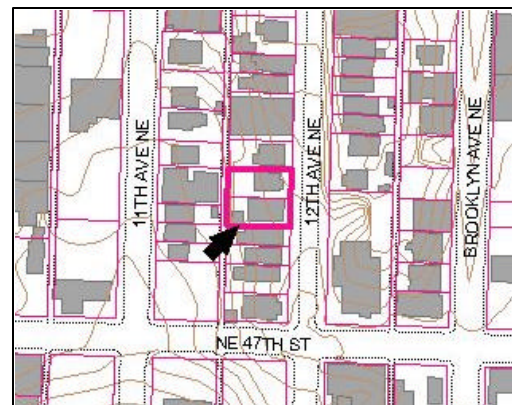


Figure 2. Local topography



Figure 3. Aerial View

A DPD geographic database query conducted in late October, 2002, found several active Master Use Permit (MUP) applications or permits for properties in the immediate vicinity of the project:

1. [2007695](#), **4751 12th Ave. NE**, future construction of a six-story mixed use bldg with 70 residential units and admin office space, 93 vehicles. Demolition of four existing structures.
2. [2201846](#), **1205 NE 50th St.**, future construction of a 2-story, 14,500 sq.ft. multi-purpose convenience store (Walgreen's). Accessory parking for 29 vehicles located at 4751 Brooklyn Ave NE being reviewed under project [2201526](#).
3. [2105797](#), **4707 12th Ave NE**, future construction of a six-story building containing six congregate residences (98 total residents), and 3000 sq.ft. of restaurant space. The project includes 2 levels of partially below-grade parking for 34 vehicles. Two existing single-family residences are to be demolished under a separate permit.
4. [2205140](#), **4546 Roosevelt Wy NE**, Design Review Early Design Guidance for a future automobile sales facility (University Mazda).
5. [2100354](#), **4531 Brooklyn Ave NE**, future construction of a 2-story parking structure at an existing parking lot, 180 parking stalls total.

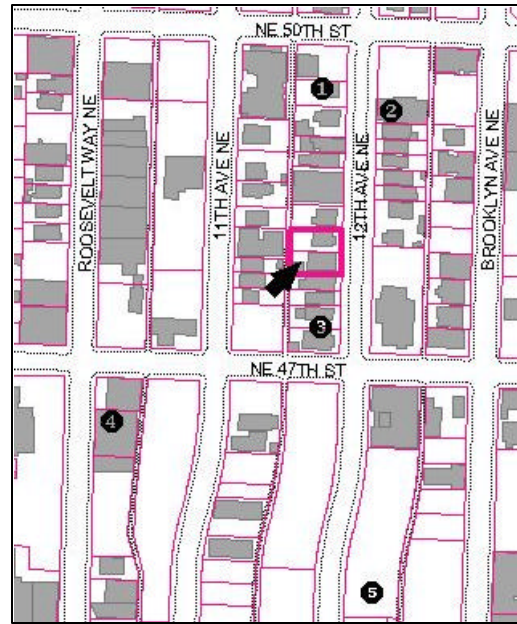


Figure 4. Proposed development sites in vicinity.

The site is intensively served by public transit. Among others, Metro routes [9](#), [43](#), [66 & 67](#), [74](#), [79](#), [271](#), and [951](#) pass within close range. The site is also within the U-District [Light Rail Station Overlay](#), which envisions increased residential and commercial densities in anticipation of a future Light Rail station located at the northwest corner of campus at NE 45th Street and 15th Ave. NE.

ANALYSIS OF THE DIRECTOR – DESIGN REVIEW

The applicants presented the project to the Northeast Seattle Design Review Board on October 7 and December 2, 2002, in the cafeteria of Eckstein Middle School. The final Design Recommendations meeting took place on May 5, 2003. DPD has previously published and distributed the Design Recommendations report, and the Board's principal outstanding recommendations are summarized below. All other recommendations have been addressed in updates to the proposed design. The full report is available in the project file, located on the 20th floor of the Seattle Municipal Tower.

Guideline	Guidance & Recommendation
A. Site Planning	
A-4 Human Activity New development should be sited and designed to encourage human activity on the street.	<p>EDG: The design should carefully integrate landscaping, and emphasize pedestrian areas with features such as special paving, appropriate lighting, site furniture.</p> <p>2nd EDG: The Board continued to identify this as a priority and encouraged the applicant to respond to the above guidance.</p> <p>Recommendation: The Board reiterates its concern for sensitive landscaping and encourages the applicant to work with DPD and other City entities to achieve the proposed paving plan.</p>

Subsequent to the design recommendations meeting, the applicant has revised the proposal to address all other issues discussed in the design recommendations report.

DECISION – DESIGN REVIEW

The Director concurs with the recommendations of the Northwest Seattle Design Review Board, delivered May 5, 2003, and **APPROVES** the application’s design review component, subject to Design Review conditions listed on pg 8 below.

ANALYSIS - SEPA

The applicant provided the initial disclosure of this development’s potential impacts in an environmental checklist signed and dated on December 20, 2002. This information and the experience of the lead agency in similar situations form the basis for this analysis and decision. This report anticipates short and long-term adverse impacts from the proposal.

The SEPA Overview Policy (SMC [25.05.665 D](#)) states “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”, subject to limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction and demolition; potential soil erosion during grading, excavation and general site work; increased runoff; tracking of mud onto

adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)), nor are they sufficiently adverse to warrant further mitigation.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Construction Noise

Due to the close proximity of residential properties in all directions, the limitations of the Noise Ordinance are likely to be inadequate to mitigate potential noise impacts. Pursuant to SEPA policies in SMC Section [25.05.675 B](#), the hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:30 a.m. and 5:30 p.m. on non-holiday weekdays to mitigate noise impacts. Limited work on weekdays between 5:30 p.m. and 8:00 p.m., and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner (or his successor). Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon whether the owner(s) and/or responsible party(ies) provide three (3) days prior notice to allow DPD to evaluate the request. See Table 1 and Condition #7, below.

Air and Environmental Health

Two single family homes occupy the site. Given the age of the existing structures on site, they may contain asbestos, which could be released into the air during demolition. The [Puget Sound Clean Air Agency](#), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections [25.05.675 A](#) and [F](#), to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA Notice of Intent to Demolish prior to issuance of a demolition permit (Condition #5). So conditioned, the project's anticipated adverse air and environmental health impacts will be adequately mitigated.

Earth/Soils

This project constitutes a "large project" under the terms of the Stormwater, Drainage, and Erosion Control Code, SMC [22.802.015 D](#). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD Building Plans Examiner and Geotechnical Engineer prior to issuance of the building permit. The Stormwater, Drainage, and Erosion Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Parking

Short-term parking impacts involve additional parking demand generated by construction personnel and equipment. The applicant provided no information related to short-term construction related parking impacts on the vicinity. Assuming that construction equipment and materials are to be stored on-site whenever practical, and that worker vehicles are to be parked on-site as soon as the garage levels are complete, existing on-street parking capacity should be sufficient to absorb any spillover parking resulting from construction. DPD therefore conditions the project to provide that construction-related parking will occur on-site when feasible (Condition #6). So conditioned, the project's potential adverse short-term parking impacts will be adequately mitigated.

Construction Vehicles

Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The subject site fronts 12th Ave NE, close to NE 45th and 50th Streets, and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC [11.62](#). This immediate area is subject to traffic congestion during the PM peak hour, and large trucks turning onto NE 45th and 50th Streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted. For the duration of the grading activity, the applicant/responsible party shall cause grading truck trips to cease during the hours between 4 p.m. and 6 p.m. on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity (Condition #8). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimizes the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by increased impervious surfaces; increased bulk and scale on the site; increased traffic and parking demand due to residents and visitors; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption.

The expected long-term impacts are typical of commercial development and are expected to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Transportation requirements). Specifically these are: the Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface); the Land Use Code (aesthetic impacts, height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption).

Parking

The Seattle SEPA policy for parking impacts (SMC [25.05.675 M](#)) provides authority to mitigate parking impacts when on-street parking is at capacity as defined by the Seattle Department of Transportation (SDOT) or where the development itself would cause on-street parking to reach capacity as so defined. Capacity has been defined as a condition where 85% of the existing on-street spaces are occupied at peak hours.

The proposed project incorporates more parking than would otherwise be required by the Land Use Code, Title 23. Considering parking waivers and exceptions available for the proposed uses, the project provides 25 spaces in excess of the minimum zoning requirement, more than three times the requirement. Considering the number of on-site parking spaces proposed, no further mitigation is necessary.

Traffic

The project is likely to increase the total number of trips generated by the site. However, for a project of this scale, trip volumes are not likely to be sufficiently adverse to warrant mitigation. No further mitigation of traffic impacts is warranted.

Other Impacts

Several adopted Codes and Ordinances and other agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these include the [Puget Sound Clean Air Agency](#) (increased airborne emissions); and the Seattle Energy Code (long-term energy consumption).

The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW [43.21C](#)), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. DPD has determined that this proposal does not have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW [43.21C.030\(2\)\(C\)](#).

DESIGN REVIEW CONDITIONS (NOT SUBJECT TO APPEAL)

Prior to Issuance of Master Use Permit and Construction Permit

1. Prior to issuing the MUP plans and all subsequent building permit drawings, the applicant shall embed the conditions of this MUP decision on the cover sheets.

Prior to Issuance of Any Permit to Construct

2. The Design Review Board recommended that the applicant coordinate with DPD and Seattle Department of Transportation (SDoT) to implement the proposed sidewalk paving plan, to the extent allowed by City Code.

Prior to and/or During Construction

3. Any changes to the exterior façades of the building and landscaping shown in the building permit must involve the express approval of the project planner prior to construction.

Prior to Issuance of the Certificate of Occupancy

4. Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager (Vince Lyons, 233-3823). The applicant(s) and/or responsible party(ies) must arrange an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.

CONDITIONS – SEPA

Prior to Issuance of Any Permit to Demolish or Construct

5. The owner(s) and/or responsible party(ies) shall submit to DPD a copy of the PSCAA Notice of Intent to Demolish prior to issuance of a demolition permit.
6. The owner(s) and/or responsible party(ies) shall submit a statement verifying that construction-related parking is to be accommodated on-site whenever practical, and that all worker parking will be located on site upon completion of the parking levels.

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

7. The hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:30 a.m. and 5:30 p.m. on non-holiday weekdays² to mitigate noise impacts. Limited work on weekdays between 5:30 p.m. and 8:00 p.m., and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner or his successor.

² Holidays recognized by the City of Seattle are listed on the City website, <http://www.ci.seattle.wa.us/personnel/holidays.htm>

Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon whether the owner(s) and/or responsible party(ies) provide three (3) days' prior notice to allow DPD to evaluate the request.

Non-holiday work hours							
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
7:00 am							
8:00							
9:00							
10:00							
11:00							
12:00 pm							
1:00							
2:00							
3:00							
4:00							
5:00							
6:00							
7:00							
8:00							

Table 1. Non-holiday work hours. Unshaded work hours shown above are permitted outright. For certain work, it is possible to request DPD approval for additional hours shaded in gray.

8. For the duration of grading activity, the owner(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 p.m. and 6 p.m. on weekdays.

Signature: (signature on file) Date: June 17, 2004
 Scott A. Ringgold, Land Use Planner
 Department of Planning and Development